

UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin

United States of America

v.

Ashton L. Howard

Case No. 21-MJ-02

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 4, 2021 in the county of Kenosha in the
Eastern District of Wisconsin, the defendant(s) violated:

Code Section

18 USC 922(g)(1)

Offense Description

Felon in possession of ammunition

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.


Complainant's signature

FBI Special Agent Christopher Nichols

Printed name and title

Sworn via telephone; transmitted via email
pursuant to Fed. R. Crim. 4.1

Date: January 4, 2021


Judge's signature

City and state: Milwaukee, Wisconsin

U.S. Magistrate Judge William E. Callahan

Printed name and title



**AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT**

I, Christopher Nichols, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI), and have been since January 2020. I am currently assigned to the Milwaukee Division's Joint Terrorism Task Force, where I investigate violations of federal law. I have investigated and assisted in the investigation of matters involving violations of federal related to domestic terrorism, and anti-riot laws. Previously, I spent 14 months as a judicial clerk in Hennepin County Minnesota where I served as a judicial clerk for a Minnesota State Court Judge on a felony criminal rotation. I have a bachelor's degree in Business Administration and a Juris Doctor degree.

2. I make this affidavit in support of a criminal complaint for Ashton Howard, who committed violations of 18 U.S.C. 922(g)(1) (felon in possession of ammunition).

3. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

4. On December 30, 2020, the U.S. District Court for the Eastern District of Wisconsin, U.S. Magistrate Judge Stephen C. Dries, approved and issued a search warrant for, among other things, the premises of 5025 26th Avenue, Kenosha, Wisconsin, 53140, and the person of Ashton Howard. Case No. 20-MJ-508 (SCD).

5. On the morning of January 4, 2021, law enforcement agents executed that warrant. At the time, Ashton Howard and an adult individual with initials N.S. were present.

6. During execution of the warrant, agents searched an upstairs bedroom, which was the bedroom Howard and N.S. used. In the bedroom, agents found among other things, men's and women's clothing, along with a wallet with Howard's identification in it, and a backpack containing documents with Howard's name on them. In the closet in the bedroom, agents found clothing and other personal items. On a shelf in the closet, agents found a box of .45 caliber Winchester ammunition containing approximately 39 bullets.

7. During the execution of the warrant, agents interviewed N.S. at the residence. During that interview, N.S. stated that she uses the upstairs bedroom and that Howard often uses that bedroom and keeps items in the bedroom, although sometimes he sleeps on a couch. With regard to the ammunition found in the closet, N.S. stated that Howard obtained the ammunition from a person on 61st Street in Kenosha and brought it back to the residence. N.S. further said that she does not own a gun and that it was not her ammunition. At one point, N.S. stated that she has had a desire to obtain a .22 caliber handgun.

8. Later in the day, N.S. was served with legal process after Howard had been arrested. While being served with the legal process, N.S. changed her story and claimed the ammunition was hers. N.S. stated to agents she received the ammunition from a friend and did not want to get that friend in trouble. N.S. told agents this friend gave her the ammunition because she was planning to purchase a .22 caliber firearm. As stated above, the ammunition found at the residence was .45 caliber.

9. Prior to the execution of the warrant, law enforcement conducted surveillance of Howard on multiple occasions. During the time period between mid-November 2020 and late-December 2020, Howard was observed at the 5025 26th Avenue, Kenosha, Wisconsin 53140, on multiple occasions.

10. Records show that Ashton L. Howard was convicted in U.S. District Court for the Western District of Louisiana, Case No. 16-CR-72, of the felony offense of possessing stolen firearms in violation of 18 U.S.C. 922(j) and 924(a)(2). HOWARD was sentenced to 27 months in prison. Judgement was entered by the court on September 16, 2016.

CONCLUSION

11. Based on the forgoing, I submit there is probable cause to believe Ashton L. Howard committed violations of 18 U.S.C. § 922(g)(1) (felon in possession of ammunition).